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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,019	.03/02/2005	Allesio Casati	Casati 1-1-1	5854

7590 11/27/2007  
Docket Administrator  
Lucent Technologies Inc  
Room 3J-219  
101 Crawfords Corner Rd  
Holmdel, NJ 07733-3030

EXAMINER
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SANTIAGO CORDERO, MARIVELISSE

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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11/27/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/009,019

Applicant(s)

CASATI ET AL.

Examiner

Marivelisse Santiago-Cordero

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The references cited in the Information Disclosure Statement (IDS) filed on 12/5/01 have been considered.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 4-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the mobile Internet protocol movement detection algorithm". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 3-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Frid et al. (hereinafter "Frid"; Patent No.: 6,137,791).3

Regarding claim 1, Frid discloses a method of supporting mobile internet protocol when a mobile system moves from a former routing area to a new routing area and sends to a controlling support node a routing area update message (Fig. 6, reference 630; col. 6, lines 10-13; col. 8, lines 41-45), comprising the step of:

on receipt of the routing area update message, sending a mobile Internet protocol agent advertisement to the mobile system (Fig. 6, reference 780).

Regarding claim 3, Frid discloses in which the advertisement is sent on a traffic channel (Fig. 6, reference 780; col. 9, lines 40-44); note that the traffic channel is inherently present).

Regarding claim 4, Frid discloses in which the mobile Internet protocol movement detection algorithm detects a change of foreign agent of the mobile system (Fig. 6; col. 9, lines 22-51).

Regarding claim 5, Frid discloses in which on detection of a change of foreign agent, the mobile system is registered by mobile internet protocol registration (Fig. 6, references 770-820; col. 9, lines 39-51).

Regarding claim 6, Frid discloses in which the former and new routing areas are within the same or different support networks (Figs. 5-6), and the advertisement is sent after successful sending and receipt of routing area update request, acceptance and completion messages (Fig. 6, references 630-760).

*Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frid in view of well known prior art.

Regarding claim 2, Frid discloses the method according to claim 1 (see above), but fails to specifically disclose in which the advertisement includes challenge/response and network access identifier extensions.

However, the Examiner takes Official Notice of the fact that at the time of invention by Applicant, it was notoriously well-known in the art to include in the advertisement messages challenge/response and network access identifier extensions for the advantages of communicating the latest challenge value that can be used by the mobile node to compute a challenge response which would serve for authentication and to prevent other network entities from using the network identity to intercept packets, and for the advantages of determining if the mobile node has entered a new administrative domain.

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to include in the advertisement message of Frid challenge/response and network access identifier extensions as notoriously well-known in the art for the advantages of communicating the latest challenge value that can be used by the mobile node to compute a challenge response which would serve for authentication and to prevent other network entities

from using the network identity to intercept packets, and for the advantages of determining if the mobile node has entered a new administrative domain.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frid in view of Einola et al. (hereinafter "Einola"; Patent No.: 6,438,370).

Regarding claim 7, Frid discloses in which the advertisement is sent after successful sending and receipt of request, acceptance and completion messages (Fig. 6, references 630-760), but fails to specifically disclose in which the former and new routing areas are within different radio network controllers, and sending and receipt of radio network controller relocation request, acceptance and completion messages.

However, in the same field of endeavor, Einola discloses in which the former and new routing areas are within different radio network controllers (Figs. 4 and 12), and sending and receipt of radio network controller relocation request, acceptance and completion messages (Fig. 12).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to modify the former and new routing areas of Frid to be within different radio network controllers, and sending the advertisement of Frid after successful sending and receipt of radio network controller relocation request, acceptance and completion messages as suggested by Einola for the advantages of allowing successful performance of inter-SGSN handover procedures whereby the radio related entities are maintained (Einola: col. 6, lines 15-20), in addition, to being components already widely available in the art.

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***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marivelisse Santiago-Cordero whose telephone number is (571) 272-7839. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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MSC



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